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15 Zodex Data Systems LLC

16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 ZODEX DATA SYSTEMS LLC, a
19 Delaware limited liability company,

20 Plaintiff,

21 v.

22 Philips Medical Systems, Philips North
23 America LLC, a Delaware corporation,

24 Defendants.

Case No. 8:22-cv-1169

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 Plaintiff Zodex Data Systems LLC (“Zodex” or “Plaintiff”), for its Complaint
2 against Philips Medical Systems, Philips North America LLC (“Philips” or
3 “Defendant”) alleges the following:

4 **I. NATURE OF THE ACTION**

5 1. This is an action for patent infringement of United States Patent No.
6 6,396,507 (the “’507 Patent” or the “patent in suit”), arising under the Patent Laws of
7 the United States, 35 U.S.C. § 1, *et seq.*, seeking damages and other relief under 35
8 U.S.C. § 281, *et seq.*

9 **II. THE PARTIES**

10 2. Plaintiff is a limited liability company organized and existing under the
11 laws of the State of Delaware with a principal office at 3107 Boardwalk, Atlantic
12 City, NJ 08401.

13 3. Upon information and belief, Defendant is a corporation organized under
14 the laws of Delaware with a registered agent CSC, 251 Little Falls Drive, Wilmington,
15 DE 19808.

16 4. Upon information and belief, Defendant sells and offers to sell products
17 and services throughout the United States, including in this District, and introduces
18 products and services into the stream of commerce and that incorporate infringing
19 technology knowing that they would be sold in this District and elsewhere in the
20 United States.

21 5. Upon information and belief, Defendant conducts a significant,
22 persistent and regular amount of business in this District through product sales by its
23 distributors, customers, and resellers and through online marketing, and derives
24 substantial revenue from such business.

25 6. Upon information and belief, Defendant has offices in this District
26 located at Carlsbad and San Diego, California.

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VI. PATENT IN SUIT

13. As set forth above, the inventions of the '507 Patent resolve technical problems related to viewing different portions of an image with greater detail. (*See* Ex. 1 at Abstract, Figs. 3A-3E, 4 and corresponding description in the specification.) When viewing remote images on a server, the zoom in feature on the client of the '507 Patent focuses only on the selected portion of interest for the user. (*Id.*)

14. The claims of the '507 Patent do not merely recite the performance of some business practice known from the pre-Internet world along with the requirement to perform it on the Internet. Instead, the claims of the '507 Patent recite one or more inventive concepts that are rooted in computerized user graphical interface technology that works seamlessly in a client-server computing technology, and overcome problems specifically arising in the realm of client access to documents on the server in client-server technologies. (*See id.* at 2:66-8:9.)

15. As set forth above, the claims of the '507 Patent recite an invention that is not merely the routine or conventional use of computers. (*See id.* at 1:13-2:64 describing the background of the invention and problems solved.) Instead, the invention makes use of specific client-server computer architecture functionalities. The '507 Patent claims thus specify how computing devices and remote servers are manipulated to yield a desired result.

16. The technology claimed in the '507 Patent does not preempt all ways of using client-server computing architectures or the use of all communication session technologies, or any other well-known or prior art technology.

17. Each claim of the '507 Patent recites a combination of elements sufficient to ensure that the claim in practice amounts to significantly more than a patent on an ineligible concept.

18. The '507 Patent claims, in a data storage/access network system that access images on a server from a remote client device, for zooming image, data extraction for extracting a portion of image data in accordance with a request from a

1 client machine occurs for the image from the server machine. When a request for
2 enlarging a partial region is issued from the client side, the image data in the requested
3 partial region is dynamically extracted and displayed for the user to zoom in and view
4 with greater detail.

5 **VII. ACCUSED PRODUCTS AND/OR SERVICES**

6 19. Defendant manufactures, provides, uses, sells, offers for sale, imports,
7 and/or distributes infringing software for image viewing that allows for designating
8 portions of images that are of interest, reading out and transmitting the designated
9 portions, including, for example, imaging software products using iSyntax
10 Technology, iSite PACS, iSite Enterprise, iSite Radiology and iVault, that operates
11 using Defendant’s servers and Defendant’s client-side software that is connected
12 through networks including, for example, Mobile Applications, Web browser
13 interface and/or Desktop Applications (collectively, “Accused Products and/or
14 Services”).

15 **COUNT I**

16 **INFRINGEMENT OF U.S. PATENT NO. 6,396,507**

17 20. Plaintiff hereby restates the allegations contained in the preceding
18 paragraphs above as if fully set forth herein.

19 21. On May 28, 2002, U.S. Patent No. 6,396,507, entitled “Data
20 Storage/Access Network System for zooming image and method of the
21 storage/access,” was duly and legally issued by the United States Patent and
22 Trademark Office. A true and correct copy of the ’507 Patent is attached as Exhibit
23 1. Related U.S. application data is set forth on the face of the patent.

24 22. Plaintiff is the assignee and owner of the right, title, and interest in and
25 to the ’507 Patent, including the right to assert all causes of action arising under the
26 ’507 Patent and the right to any remedies for infringement of the ’507 Patent.

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1 23. Defendant has been directly infringing at least claim 1¹ of the '507 Patent
2 by making, using, selling, offering to sell, importing and/or providing and causing to
3 be used the products using iSyntax Technology, iSite PACS, iSite Enterprise, iSite
4 Radiology and iVault or compatible with Dicom Technology which satisfy, literally
5 or under the doctrine of equivalents, each and every claim limitation of claim 1 of the
6 '507 Patent. The correspondence between the limitations of claim 1 of the '507 Patent
7 and the products using iSyntax Technology, iSite PACS, iSite Enterprise, iSite
8 Radiology and iVault or compatible with Dicom Technology is shown in the claim
9 chart attached hereto as Exhibit 2. The claim chart is incorporated by reference as if
10 set forth herein.

11 24. Defendant has infringed at least claim 1 of the '507 Patent under 35
12 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using,
13 selling, and/or offering for sale in the United States, and/or importing into the United
14 States, Accused Products and/or Services (hereafter "Accused Instrumentalities"). At
15 a minimum, Accused Instrumentalities include products using iSyntax Technology,
16 iSite PACS, iSite Enterprise, iSite Radiology and iVault.

17 25. As just one non-limiting example, set forth in the claim chart, attached
18 as Exhibit 2 is a description of exemplary claim 1 of the '507 Patent. Plaintiff reserves
19 the right to modify this description, including on the basis of information it obtains
20 during discovery.

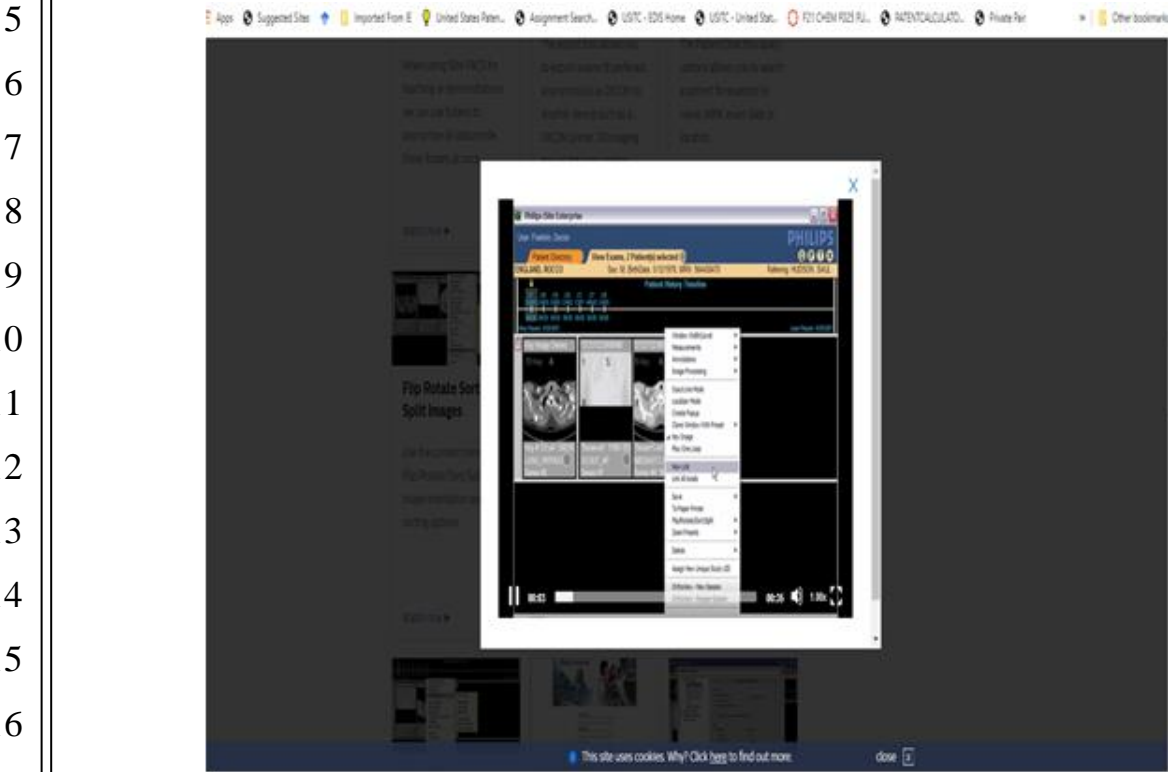
21 26. For example, the Accused Products and/or Services meet all of the claim
22 limitations of claim 1 of the '507 Patent, set forth below with claim language in italics.
23 To the extent the preamble is limiting, the Accused Products and/or Services include
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26 ¹ Plaintiff reserves the right to identify additional asserted claims and accused
27 products as this litigation proceeds. For example, Plaintiff expressly reserves the right
28 to identify additional asserted claims and accused products in its infringement
contentions to be served during the discovery process.

1 “A data reading method applied to a network system in which an image data storage
2 device and an access device are connected.”

3 <https://www.learningconnection.philips.com/en/isite-pacs-3-6-education>
4 video showing zooming, scrolling and panning options.



18 27. The Accused Products and/or Services include “*transmitting image data*
19 *in a file from said storage device to said access device,*”

20 [https://www.philips.com.cn/c-](https://www.philips.com.cn/c-dam/b2bhc/master/whitepapers/radiology/CarolinasMedCtr_iSite_PACS.pdf)
21 [dam/b2bhc/master/whitepapers/radiology/CarolinasMedCtr_iSite_PACS.pdf](https://www.philips.com.cn/c-dam/b2bhc/master/whitepapers/radiology/CarolinasMedCtr_iSite_PACS.pdf)
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Each element of the iSite PACS suite is now firmly integrated into CHS.

- **iSite Enterprise** – access to diagnostic quality images and patient information in three seconds or less anywhere across the enterprise
- **iSite Radiology** – an advanced radiology workstation with integrated advanced visualization functionality
- **iVault** – always online medical image storage solution with automated off-site disaster recovery services

28. The Accused Products and/or Services include “*designating an arbitrary portion of said image data transmitted and displayed on said access device.*”

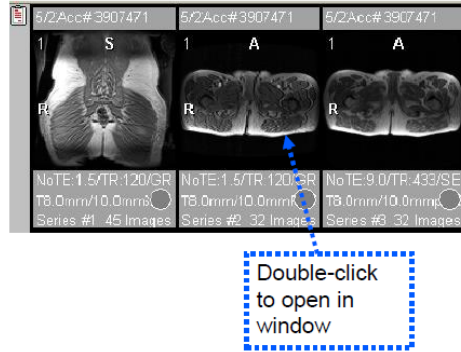
<https://manualzz.com/doc/6655129/philips-isite-enterprise-manual---radiology-pacs-training...>

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PHILIPS

Navigation within the Exam Rack

- Exam Rack: the set of images in an study
- Reorder series by dragging and dropping on grey image header or footer
- Navigating through stacked series
 1. Mouse wheel
 2. Select "C" on keyboard
 3. Context menu



29. The Accused Products and/or Services include “reading out only wanting image data in said arbitrary portion designated on said access device from the same file as said file of said image data transmitted.”

<https://manualzz.com/doc/6655129/philips-isite-enterprise-manual---radiology-pacs-training...>

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Context Menu

The screenshot displays three image thumbnails with technical details below them:

- Thumbnail 1: NoTE: 1.5/TR:120/GR, T8.0mm/10.0mm, Series #1: 45 Images
- Thumbnail 2: NoTE: 1.5/TR:120/GR, T8.0mm/10.0mm, Series #2: 32 Images
- Thumbnail 3: NoTE: 1.5/TR:120/GR, T8.0mm/10.0mm, Series #3: 32 Images

Single Image Menu

- Window Width/Level
- Measurements
- Annotations
- Image Processing
- Scout Line Mode
- Localizer Mode
- Create Popup
- Key Image
- New Link
- Save
- To Paper Printer
- Flip/Rotate
- Zoom Presets
- Delete
- Assign New Unique Study UID
- Export

Series Image Menu

- Window Width/Level
- Measurements
- Annotations
- Image Processing
- Scout Line Mode
- Localizer Mode
- Create Popup
- Clone Window With Preset
- Key Image
- Play Cine Loop
- New Link
- Link All Axials
- Save
- To Paper Printer
- Flip/Rotate/Sort/Split
- Zoom Presets
- Delete
- Assign New Unique Study UID
- Export

Right-click on image for context-menu

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30. The Accused Products and/or Services include “*transferring said wanting image data to said access device through a network.*”

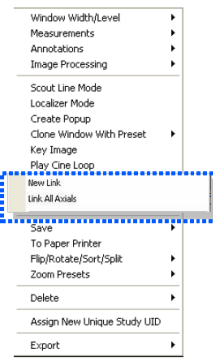
<https://manualzz.com/doc/6655129/philips-isite-enterprise-manual---radiology-pacs-training...>

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PHILIPS

Linking Options (Series Only)

- Synchronizes images or series with a designated "master" image to:
 - View through multiple images at the same location simultaneously
 - Have same "navigation" as the master, like Zoom or Pan
- Linked Images/ Series denoted by  icon
- Link Sub-menu:
 - [New Link](#): Link images within or across studies
 - [Link All Axials/ Sagittals/ Coronals/ Obliques](#) (series only): Links all image stacks in rack with the same orientation



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31. Defendant has committed acts of infringement without license or authorization.

32. Defendant provides users of the Accused Instrumentalities with instructions on how to operate within Accused Instrumentalities in its promotional materials for the Philips Client access devices. In addition, Defendant provides users with an application which serves as a central location to which Accused Instrumentalities may connect. To operate within a iSyntax or Dicom network, the Philips Access Devices that necessarily practice at least claim 1 of the '507 Patent.

33. On information and belief, any other of Defendant's software products and access devices are also Accused Instrumentalities.

34. As reflected in Exhibit 2, Defendant's website further shows that Defendant has tested and verified that the Accused Instrumentalities promote the infringing features. In making these instructions and materials available to customers and touting the benefits of the infringing features, Defendant specifically intended to encourage its customers to use the Accused Instrumentalities in an infringing manner, knowing that such use in accordance with its instructions and materials constituted infringement of the '507 Patent.

1 35. Defendant’s acts of infringement involving the ’507 Patent have caused
2 damage to Plaintiff, and Plaintiff is entitled to recover from Defendant the damages
3 it has sustained as a result of Defendant’s wrongful acts in an amount subject to proof
4 at trial.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff prays for judgment as follows:

7 a) Declaring that Defendant has infringed the ’507 Patent.

8 b) Awarding damages arising out of Defendant’s infringement of the ’507
9 Patent to Zodex, together with prejudgment and post-judgment interest, in an
10 amount according to proof.

11 c) Awarding attorneys’ fees to Zodex pursuant to 35 U.S.C. § 285 or as
12 otherwise permitted by law.

13 d) Awarding such other costs and further relief as the Court may deem
14 just and proper.

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16 Dated: June 15, 2022

DEVLIN LAW FIRM, LLC

By: /s/ Deepali A. Brahmhatt

Deepali A. Brahmhatt

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Attorney for Plaintiff,

Zodex Data Systems LLC

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21 **DEMAND FOR JURY TRIAL**

22 Plaintiff requests a jury trial of all issues in this action so triable.

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24 Dated: June 15, 2022

DEVLIN LAW FIRM, LLC

By: /s/ Deepali A. Brahmhatt

Deepali A. Brahmhatt

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Attorney for Plaintiff,

Zodex Data Systems LLC

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